



The State Bar Court of California



EXECUTIVE SUMMARY:
Survey of Court Users

2020

Quarters 3 & 4 (Pilot)

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Executive Summary: Survey of Court Users 3rd and 4th Quarters, 2020 (Pilot) November 1, 2021

Section 1: Background

In 2004, the State Bar Court (SBC) developed 9 core, court performance measures. Measure 1 is a survey of court users/customers. The survey assesses court users' experiences with the SBC and solicits feedback on five court performance dimensions:

1. Access.
2. Fairness.
3. Timeliness.
4. Independence/Accountability.
5. Quality/Effectiveness.

Survey Audience: "Court users" of the SBC are the recipients of this survey. Court users include: (1) Respondents, Petitioners, and Applicants; (2) Counsel for Respondents, Petitioners, Applicants; and (3) Office of Chief Trial Counsel (OCTC) Attorneys.

The SBC surveyed court users initially in 2004 and again in 2008. The SBC implemented a variety of improvements in response to the feedback and survey results over the years.

Section 2: Overview of 2020 Pilot

In late 2020, the Court embarked on a *pilot project* aimed at refreshing the survey process, updating the survey questions for current times, and administering the survey to a pilot group. The pilot group included court users involved with the Court and who had cases closed in the 3rd and 4th quarters of 2020 (3/4Qs 2020). The results presented in this Summary are from the pilot group.

Dr. Brenda Wagenknecht-Ivey, CEO of PRAXIS Consulting, Inc. (Denver, CO) administered the surveys to the pilot group in May 2021. Dr. Wagenknecht-Ivey also administered the surveys to court users in 2004 and 2008.

The pilot survey was sent to 245 people (N=245). In contrast, in 2004 and 2008, 726 and 998 court users were surveyed, respectively.

Ninety-four (n=94) people completed the pilot survey. The overall response rate was 38%. In 2004 and in 2008, the response rate was 23%. Table 1 includes a breakdown of the 2020 pilot survey by the three survey groups, the number of survey respondents in each group, and the response rates by group.

Table 1

2020 – Pilot Survey			
Survey Groups	(N =)	(n = ____) # Responded	Response Rate
OCTC Attorneys	58	47	81%
Counsel for Resp/Pet/Appl.	40	19	48%
Resp/Pet/ Appl.	147	25	17%
TOTAL	245	94	38%

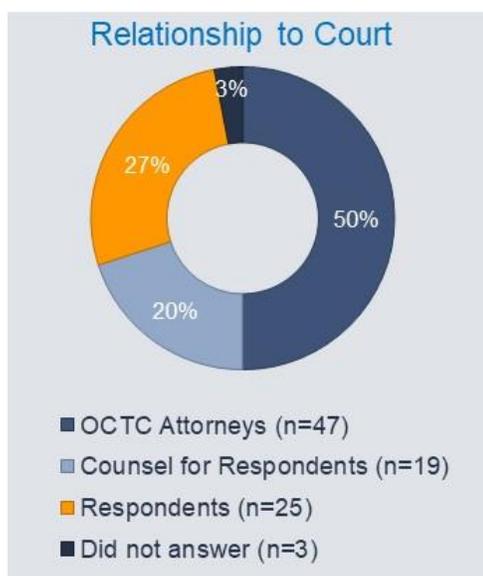
The 2020 pilot survey included a total of 36 questions. Most of the questions were the same or similar to past surveys; however, a few were new, and a few past questions were deleted. The most significant

change in 2020 was the addition of questions that measured court users' experiences during the COVID-19 pandemic. The graphic below presents a summary of the 2020 Pilot survey questions.



Section 3: Characteristics of Survey Respondents

One-half (50%) of survey respondents to the 2020 pilot survey were OCTC attorneys, 20% were Counsel for Respondents, and 27% were Respondents. Additionally, a majority of survey respondents (62%) had the most frequent contact with the Los Angeles Office, 23% had the most frequent contact with San Francisco Office, and 14% had the most frequent contact with both venues.



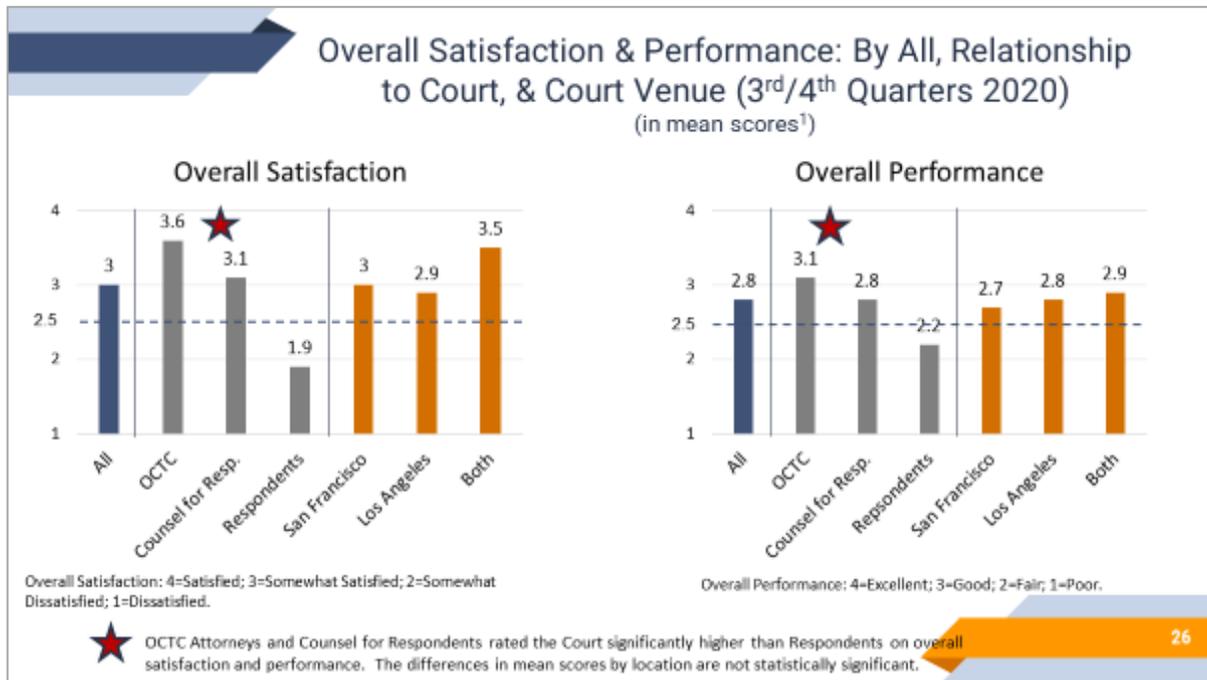
Section 4: Summary of Findings

Overall Satisfaction and Overall Performance:

Survey respondents gave an *overall satisfaction* rating of “*somewhat satisfied*.” The Court’s average rating was 3.0 (out of 4), up from an average of 2.7 in 2004 and 2.6 in 2008. The average rating is favorable; it is above 2.5, which is the mid-point of the 4-point rating scale.

The Court’s *overall performance* rating is “*good*.” The average rating was 2.8 (out of 4), up from an average of 2.5 in 2004 and 2008. The average rating is favorable; it is above 2.5, which is the mid-point of the 4-point rating scale.

OCTC attorneys and Counsel for Respondents rated the SBC significantly higher on Overall Satisfaction and Overall Performance than Respondents in the 2020 pilot survey. The graphic below shows mean (average) ratings for overall satisfaction and overall performance by survey group and SBC location.



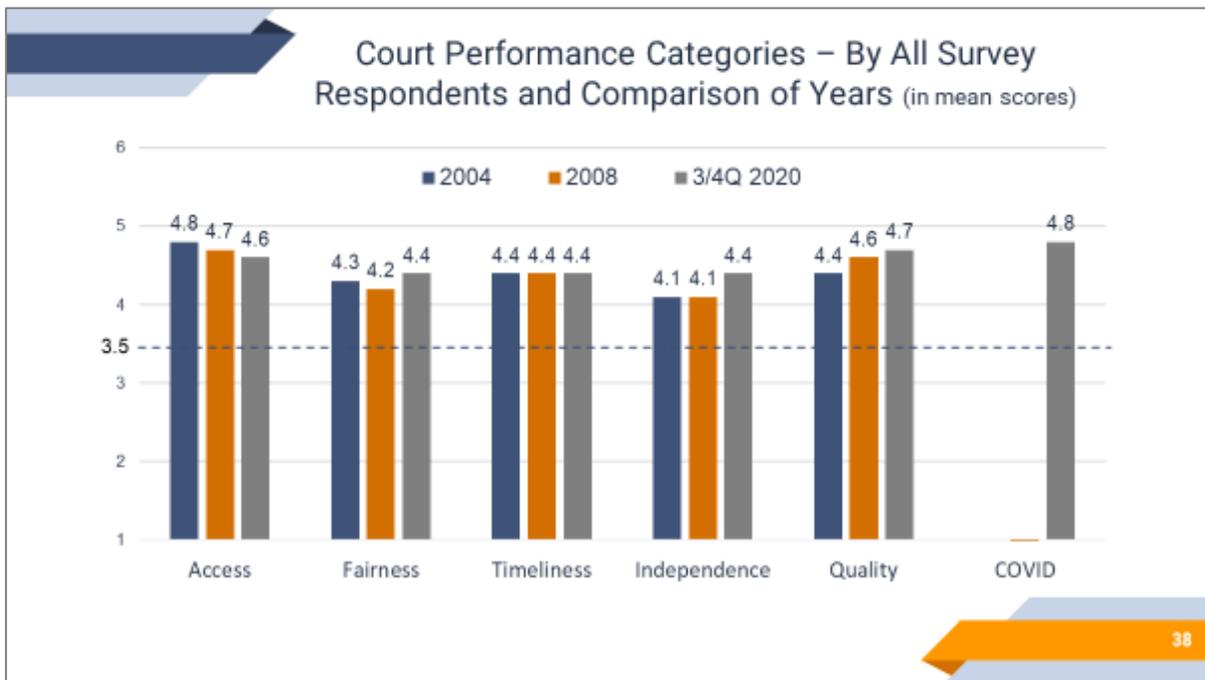
Highest and Lowest Rated Court Performance Categories

The highest rated court performance category is the *Response to COVID-19*, with an average rating of 4.8 (with the highest possible of 6). The average rating is favorable; it is above 3.5, which is the mid-point of the 6-point agreement rating scale. In 2008, the highest rated court performance category was Access to Justice, with an average rating of 4.8 (out of 6).

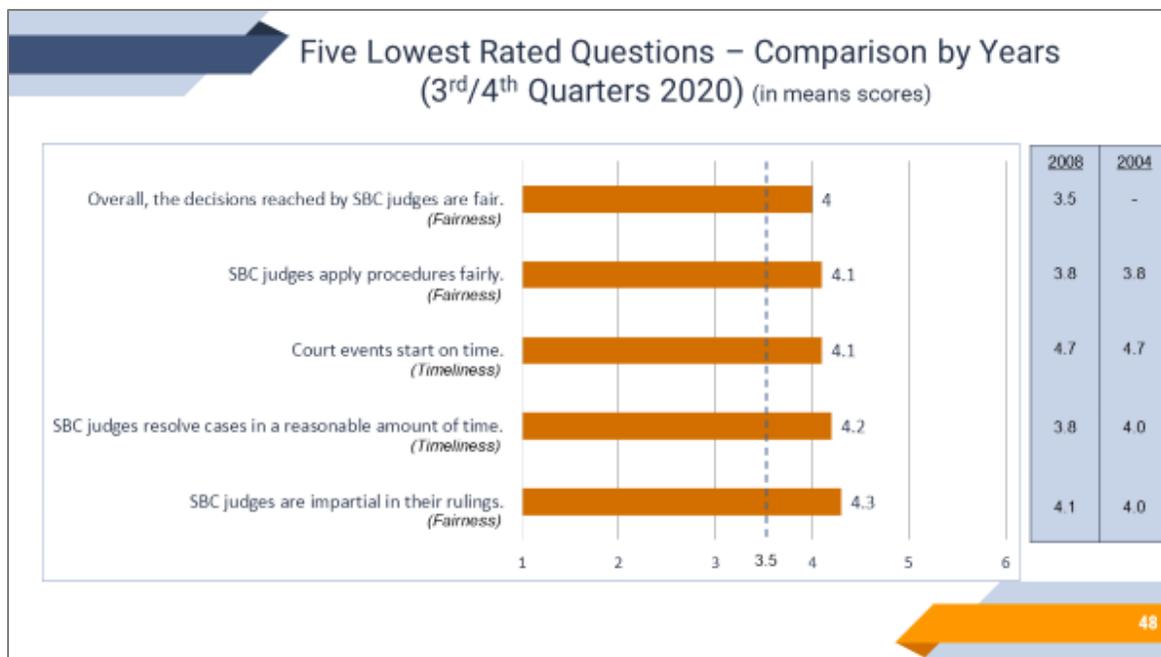
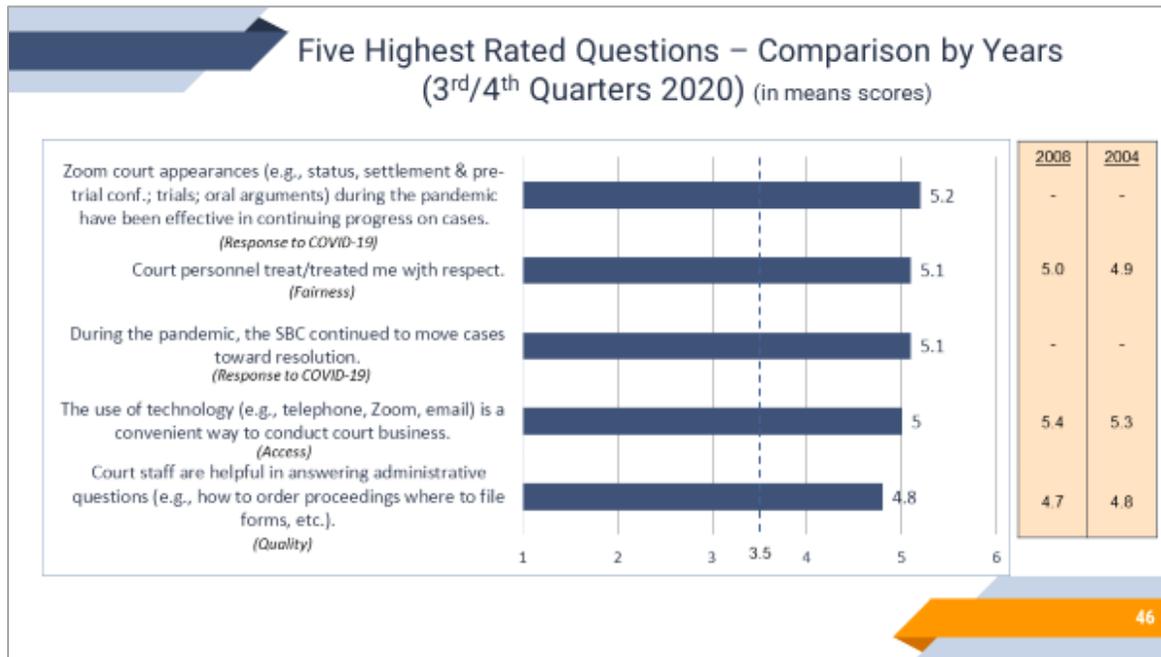
The lowest rated court performance categories are: *Fairness, Timeliness, and Independence/Accountability* with average ratings of 4.4 (out of 6). Although rated the lowest of the six performance categories, the results are favorable as the average ratings are above 3.5, which is the mid-point of the rating scale. In 2008, the lowest rated category was Independence/Accountability with an average rating of 4.1 (out of 6).

Survey respondents rated the five court performance categories and the new COVID-19 category in 2020 positively. The mean scores (or average ratings) for all six categories are above 3.5, the mid-point of the 6- point rating scale. Additionally, it is important to note that OCTC attorneys and Counsel for Respondents rated each of the court performance categories significantly higher than Respondents. The statistically significant differences in mean scores are not due to chance.

As shown in the chart below, in the 2020 pilot survey, the average ratings on three court performance categories are higher than previous years, one is lower, and one is the same. The average ratings on Fairness, Independence/ Accountability, and Quality/ Effectiveness are higher than in 2004 and 2008. Access to Justice is rated slightly lower. Timeliness is rated the same. The COVID-19 category was added in 2020.



Five Highest and Five Lowest Rated Individual Survey Questions. The results, along with comparisons to 2004 and 2008 where available, are presented in the charts below.



Suggestions for Improving Services, Performance, and Communication.

The tables below provide a summary of the most frequently mentioned suggestions for improvement by survey respondents. Also included are samples of verbatim comments from survey respondents.

Respondents and Counsel for Respondents (Summary of Comments)	
1. Improve Fairness, Independence, Impartiality	Summary: be fair; some judges are biased against respondents; eliminate biases; stop being deferential to OCTC; I was not afforded due process; read the record fairly, not just to support prosecutor; unrepresented, defendant attorneys are treated less fairly than those represented by counsel; Court needs to be independent from prosecutor; hold OCTC to same standards as respondent’s counsel; there is a presumption of guilt; appearance of bias when offices are all together; separate the judges from State Bar.
2. Continue Using Technology	Summary: maintain video appearances - in-person appearances are usually unnecessary and expensive; continue Zoom hearings post-pandemic; better use of email/better email notifications of hearings; continue with/maintain e-filing; eliminate paper exhibits.
3. Improve Procedures/ Confidentiality	Summary: documents hand delivered to the court for filing should not be screened by SB security (ground floor) when marked confidential; to further assist with rehabilitation and minimize public shaming, stop listing respondents by name on the public calendar when appearing for ADP proceedings; seal case records when a case settles; remove information from website in the event of a dismissal/exoneration; stop posting embarrassing documents indefinitely on internet; change rules to allow for pre-filing settlement conference for conviction referral matters.

OCTC Attorneys (Summary of Comments)	
1. Enhance Timeliness/ Scheduling	Summary: start proceedings/hearings on time; don’t allow respondents to delay matters; rule on motions in a timely manner; allow more time between the initial status conference and trial; allow more time between VSC and trial; don’t set hearings with less than 5 days’ notice; effectively schedule hearings; communicate when hearings will not begin on time.
2. Strengthen Judge Experience, Knowledge, Support	Summary: judges need to be trained/have better training; would be helpful for judges to have more experience (e.g., being a judge and/or prosecutorial or defense experience); newer judges need more support/need to be trained so they understand rules, procedures, etc.; judges need training/experience conducting proceedings/controlling a courtroom.
3. Continue Using Technology	Summary: continue hearings via Zoom post-pandemic; continue Zoom conferences at least for all non-trial hearings; Zoom conferences allow more flexibility for all, especially if not able to start on time; allow attachments using standard tools; enhance e-filing system; increase efficiency by using e-filing and receiving e-services (e.g., PACER); increase submission size.

Section 5: Conclusion and Next Steps

The 2020 pilot survey went very well despite the ongoing COVID-19 pandemic. The overall results are very positive and there also are areas for continued improvement. The results of the pilot should be interpreted cautiously because of the smaller than usual pilot sample size. That said, the results provide the SBC with a current baseline from which to gauge future progress.

The 2020 survey results (3/4Qs) will be presented to the SBC judges and administrative leadership. After debriefing with administrative leadership about the survey process and revised questions, the 2021 survey process will begin, which will include surveying court users two times per year (i.e., those who had cases closed between Jan – June and July – Dec). In addition to providing the results for the 6-month survey period, at the end of the year, the results will be aggregated to provide summary ratings and results for 2021.

The Court's judicial and administrative leadership will continue to monitor and receive the results of the court user surveys. Changes and improvements will continue to be made in response to the survey feedback as well as other court performance metrics.